

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MAHEALANI ELIAS,)	3:16-cv-00327-HDM-VPC
)	
Plaintiff,)	
)	ORDER
)	
vs.)	
)	
GEICO GENERAL INSURANCE COMPANY,)	
a Foreign Corporation; ROE)	
CORPORATIONS 1-10; and DOES 1-10,)	
inclusive,)	
)	
Defendants.)	
_____)	

Before the court is Defendant Geico General Insurance Company's ("Geico") motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. (ECF No. 33). Plaintiff responded (ECF No. 36) and Geico replied (ECF No. 37).

The central issue in the motion for summary judgment is the materiality of plaintiff's alleged misrepresentations in the presentation of her claim with Geico. Geico argues that, by making these material misrepresentations, plaintiff breached her obligations under the policy and voided the contract. The court concludes that based on the discovery, questions of fact remain regarding the

1 materiality of the alleged statements that plaintiff made.

2 Accordingly, **IT IS ORDERED** that Geico's motion for summary
3 judgment (ECF No. 33) is denied.

4 **IT IS FURTHER ORDERED** that the jury trial in this case is set for
5 December 5, 2017, at 9:00 AM in Reno Courtroom 4.

6 **IT IS FURTHER ORDERED** that the calendar call is set for November
7 21, 2017, at 9:30 AM in Reno Courtroom 4.

8 **IT IS FURTHER ORDERED** that the pretrial order is due by July 6,
9 2017.

10 **IT IS FURTHER ORDERED** that proposed voir dire and proposed jury
11 instructions are due by November 28, 2017.

12 **IT IS FURTHER ORDERED** that motions in limine shall be filed by
13 September 6, 2017.

14 DATED: This 5th day of June, 2017.

15 
16 UNITED STATES DISTRICT JUDGE